

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-v-

CARL ANDREWS,

Defendant.

19-CR-131-06 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

The Court has received the letter from defense counsel dated October 30, 2020, notifying the Court that Ezra Spilke, Esq., one of Mr. Andrews's two defense counsel, has a competing trial commitment, before Judge Ramos, in a trial that may be scheduled for January. Dkt. 554. Counsel should have notified this Court of the potential conflict earlier, including at the time the Court was asked to adjourn this case from October 20, 2020, into the first quarter of 2021 on account of the unavailability of a Government witness. As counsel will recall, the Court, in response to Mr. Andrews's requests for a prompt trial, has repeatedly stated its commitment to attempt to schedule this trial as early as possible in the first quarter of 2021, and if possible in January. Mr. Spilke's trial schedule, however, makes the Court's stated intention to schedule Mr. Andrews's trial in January likely unworkable, as it does not appear that Mr. Spilke could represent Mr. Andrews at a trial in this case if scheduled anytime in January.

The Court accordingly hereby notifies counsel that Mr. Spilke's scheduling conflict may result in Mr. Andrews' trial being scheduled after that of his severed co-defendants, Justin Rivera and Dwayne Anthony Conley, and therefore potentially late in the first quarter of 2021. The

Court understands both counsel for Mr. Andrews to be available during the first quarter of 2021, other than during the period when Mr. Spilke may be on trial before Judge Ramos.

SO ORDERED.

A handwritten signature in blue ink that reads "Paul A. Engelmayer". The signature is written in a cursive, flowing style.

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PAUL A. ENGELMAYER  
United States District Judge

Dated: November 2, 2020  
New York, New York